IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL
ORIGINAL JURISDICTION
Dated: Nainital: the 22nd day of April, 2005
Bail application no. 327 of 2005
Order on the bail application of accused

CRIMINAL SIDE

Kamal Aroda
S/o Harish Aroda
R/o 537 Avas Vikas Colony
Police Station - Gangnahar Roorkee
District - Haridwar …. Applicant

Versus

State of Uttaranchal ….Opposite Party

Arising out of case crime No. 67 of 2005
U/Ss 302/201 I.P.C.
Police Station - Kotwali Roorkee,
District - Haridwar

Hon'ble B.C. Kandpal, J.

The applicant has applied for bail in case crime No. 67 of 2005,U/Ss 302/201 I.P.C., Police Station - Kotwali Roorkee, District - Haridwar.

Heard Sri S.P.S. Panwar-Sr. Advocate, learned counsel for the applicant, Sri Ajay Veer Pundir, learned counsel for the complainant, learned A.G.A. for the State and perused the record.

The case rests on circumstantial evidence as the applicant is not named in the F.I.R.

The only evidence which has been available on record at this stage is that of last seen.

The brick alleged to have been used during the commission of crime, is also said to have been recovered on the pointing out of the accused.

I do not find that the evidence collected by the Investigating officer as yet is sufficient to warrant the conviction of the applicant.

Without commenting on the merit of the case, I am of the view that it is a fit case for bail at this stage.

Let the applicant, Kamal Aroda be released on bail on executing personal bond and furnishing two sureties each in the like amount to the satisfaction of J.M., Roorkee.

(B.C. Kandpal, J.)

April 23, 2005
Aswal